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**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF WASHINGTON**

HALIMA HAMADI,

Plaintiff,

vs.

NANCY A. BERRYHILL, Acting
Commissioner of the Social Security
Administration,

Defendant.

Case No. 2:16-cv-01356-TLF

ORDER GRANTING PLAINTIFF'S
PETITION FOR EAJA FEES

BEFORE THE COURT is Plaintiff's motion for an award of attorney fees pursuant to the Equal Access to Justice Act (EAJA), 28 U.S.C. §2412. (Dk.t 17) Attorney CHAD HATFIELD represents Plaintiff; Assistant United States Attorney Kerry Jane Keefe and Special Assistant United States Attorney Franco L. Becia represent the Defendant.

On April 18, 2017, this Court issued its ORDER GRANTING STIPULATED MOTION FOR REMAND (Dkt. 15) Plaintiff now moves for an award of attorney fees pursuant to EAJA (Dkt 17)

The EAJA provides for an award of attorney fees to private litigants who both prevail in civil actions (other than tort) against the United States and timely file a petition for fees. 28 U.S.C. §2412(d)(2)(A). Under the EAJA, the court shall award attorney fees to the prevailing

1 party unless it finds the government's position was "substantially justified or that special
2 circumstances make such an award unjust." 28 U.S.C. §2412(d)(1)(A).

3 Plaintiff seeks attorney fees of \$7,206.23, based on an attorney fee rate of \$192.68 per
4 hour for 26.3 hours in 2016, and \$192.68 per hour for 11.1 hours worked in 2017, between
5 August 1, 2016, and July 7, 2017. Accordingly, after review,
6

7 **IT IS ORDERED:**

8 (1) The Plaintiff's Motion (Dkt. 17) is **GRANTED**. The Commissioner is directed to
9 pay Plaintiff EAJA fees of \$7,206.23.

10 (2) The award to plaintiff shall be delivered or otherwise transmitted to plaintiff's
11 attorney of record.
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13 (3) EAJA attorney fees, expenses, and costs are subject to any offsets allowed under
14 the Treasury Offset Program (TOP), as discussed recently in *Astrue v. Ratliff*, ____ U.S. ____
15 (2010), 130 S. Ct. 2521, 2522 (2010). No costs or expenses are awarded.

16 (4) The Clerk is directed to send a copy to plaintiff's counsel and defendant's
17 counsel.
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19 **IT IS SO ORDERED.**

20 DATED this 3rd day of August, 2017.

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23 Theresa L. Fricke
24 United States Magistrate Judge
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